



# California Regulatory Notice Register

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## PROPOSED ACTION ON REGULATIONS

### TITLE 02. FAIR POLITICAL PRACTICES COMMISSION

*Conflict of Interest Code — Notice File No. Z07-0208-03* ..... 335

STATE AGENCY: Employment Training Panel

MULTI-COUNTY: College of the Sequoias  
 Davis Joint Unified School District  
 El Dorado Irrigation District  
 Roseville Joint Union High School District  
 Shasta-Tehama-Trinity Joint Community College District

### TITLE 02. FAIR POLITICAL PRACTICES COMMISSION

*Conflict of Interest Code — Notice File No. Z07-0213-06* ..... 336

MULTI-COUNTY AGENCY: Midpeninsula Regional Open Space District

### TITLE 03. DEPARTMENT OF FOOD AND AGRICULTURE

*Diaprepes Root Weevil Interior Quarantine — Notice File No. Z07-0213-07* ..... 337

### TITLE 03. DEPARTMENT OF FOOD AND AGRICULTURE

*Oriental Fruit Fly Interior Quarantine — Notice File No. Z07-0213-08* ..... 338

### TITLE 13. DEPARTMENT OF MOTOR VEHICLES

*Administrative Fee for Vehicle Code Book — Notice File No. Z07-0208-01* ..... 340

### TITLE 13. DEPARTMENT OF MOTOR VEHICLES

*Registration Service Surety Bond Requirements (Certificate of Acknowledgment within the Department's Appointment of Director as Agent for Service of Process Form) — Notice File No. Z07-0209-01* ..... 342

### TITLE 14. DEPARTMENT OF CONSERVATION

*Distributor Administrative Fee — Notice File No. Z07-0213-01* ..... 343

### TITLE 14. FISH AND GAME COMMISSION

*Automated Data License System — Notice File No. Z07-0213-04* ..... 346

(Continued on next page)

***Time-  
Dated  
Material***

TITLE 16. BOARD OF PHARMACY  
*Notice to Consumers — Notice File No. Z07-0213-02* ..... 349

TITLE 19. GOVERNOR’S OFFICE OF EMERGENCY SERVICES  
*Conflict of Interest Code — Notice File No. Z07-0213-05* ..... 351

**DISAPPROVAL DECISION**

BOARD OF OCCUPATIONAL THERAPY ..... 351

**SUMMARY OF REGULATORY ACTIONS**

Regulations filed with the Secretary of State ..... 352

Sections Filed, September 13, 2006 to February 14, 2007 ..... 354

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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## PROPOSED ACTION ON REGULATIONS

*Information contained in this document is published as received from agencies and is not edited by Thomson West.*

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict of interest codes, will review the proposed/amended conflict of interest codes of the following:

#### CONFLICT OF INTEREST CODES

##### AMENDMENT

STATE AGENCY: Employment Training Panel  
MULTI-COUNTY: College of the Sequoias  
Davis Joint Unified School District  
El Dorado Irrigation District  
Roseville Joint Union High School District  
Shasta-Tehama-Trinity Joint Community College District

A written comment period has been established commencing on **February 23, 2007**, and closing on **April 9, 2007**. Written comments should be directed to the Fair Political Practices Commission, Attention **Ashley Clarke**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict of interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict of interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section

87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict of interest code(s). Any written comments must be received no later than **April 9, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict of interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict of interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict of interest code(s) should be made to **Ashley Clarke**, Fair

Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT OF INTEREST CODES

Copies of the proposed conflict of interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to **Ashley Clarke**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

### TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303 and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the amended conflict-of-interest codes of the following:

#### AMENDMENT

#### MULTI-COUNTY

AGENCY: Midpeninsula Regional Open  
Space District

A written comment period has been established commencing on **February 23, 2007** and closing on **April 9, 2007**. Written comments should be directed to the Fair Political Practices Commission, attention **Trish Mayer**, 428 J Street, Suite 620, Sacramento, California 95814.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director or the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code section 87300, which designate, pursuant to Government Code section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director or the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than **April 9, 2007**. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

#### COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code section 17514.

#### EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

#### AUTHORITY

Government Code sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

#### REFERENCE

Government Code sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

#### CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to **Trish Mayer**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

#### AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the re-

spective agency. Requests for copies from the Commission should be made to **Trish Mayer**, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California 95814, telephone (916) 322-5660.

### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3433, subsection (b) of the regulations in Title 3 of the California Code of Regulations pertaining to *Diaprepes Root Weevil* Interior Quarantine as an emergency action that was effective on December 20, 2006. The Department proposes to continue the regulation as amended and to complete the adoption process by submission of a Certificate of Compliance no later than April 19, 2007.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

Notice is also given that any person interested may present statements or arguments in writing relevant to the actions proposed to the agency officer named below on or before April 9, 2007.

Following the public hearing and the written comment period, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

This amendment of Section 3433 expanded two new quarantine areas in San Diego County (Fairbanks Ranch and La Jolla areas). This added approximately five and one half square miles to the La Jolla area and

two square miles of the Fairbanks Ranch area of San Diego County as additional areas under quarantine for *Diaprepes abbreviatus*. The effect of the amendment is to provide authority for the State to regulate movement of the articles and commodities covered that may move life stages of the *Diaprepes* root weevil from, into, and within that area under quarantine to prevent artificial spread of the weevil to noninfested areas to protect California's agricultural industry. There is no existing, comparable federal regulation or statute.

#### COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3433 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3433. No reimbursement is required for Section 3433 under Section 17561 of the Government Code because the San Diego County Agricultural Commissioner requested the changes in the regulation.

The Department also has determined that the amended regulation will involve no additional costs or savings to any state agency, no reimbursable costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State.

#### EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

#### EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting some California businesses, including the ability of California businesses to compete with businesses in other states.

#### COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The cost impact of the amended regulation on a representative private person or business located within the regulated area may be significant. An average infested ornamental production nursery producing plants in one-gallon containers may incur initial costs of \$334 to



\$527 per acre per six month period and; thereafter, ongoing costs of \$214.75 to \$456.25 per acre per six month period in reasonable compliance with the proposed action. Approximately 65,000 one-gallon containers may be placed upon one acre. This translates into an initial increased production cost of \$0.005 to 0.008 per one gallon container and an ongoing production cost of \$0.003 to 0.007 per one gallon container of nursery stock every six months. The actual costs may vary with the type, size and production practices of the affected businesses.

#### ASSESSMENT

The Department has made an assessment that the proposed amendment to the regulation would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

#### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY

The Department proposes to amend Section 3433 pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

#### REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

#### EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

#### CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for

a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: [sbrown@cdfa.ca.gov](mailto:sbrown@cdfa.ca.gov). In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulation should be directed to Stephen S. Brown.

#### INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet website ([www.cdfa.ca.gov/cdfa/pendingregs](http://www.cdfa.ca.gov/cdfa/pendingregs)).

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulation in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations amended by the Department differs from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of amendment. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

#### TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture amended Section 3423(b) of the regulations in Title 3 of the California Code of Regulations pertaining to Oriental Fruit Fly Interior Quarantine as an emergency action that was effective December 20, 2006. The Department proposes to continue the regulation as amended and submit a certificate of compliance no later than April 19, 2007.

A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period. Fol-

lowing the public hearing if one is requested, or following the written comment period if no public hearing is requested, the Department of Food and Agriculture may certify that there was compliance with provisions of Section 11346.1 of the Government Code within 120 days of the emergency regulation.

Notice is also given that any person interested may present statements or arguments in writing relevant to the action proposed to the agency officer named below on or before April 9, 2007.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law obligates the Department of Food and Agriculture to protect the agricultural industry of California and prevent the spread of injurious pests (Food and Agricultural Code Sections 401 and 403). Existing law provides the Secretary may establish, maintain, and enforce quarantine regulations, as he deems necessary, to circumscribe and exterminate or prevent the spread of pests (Food and Agricultural Code, Sections 5301, 5302 and 5322).

Existing regulations established a portion of San Bernardino County (Rialto area) as the quarantine area for Oriental fruit fly. This amendment removed the quarantine area for Oriental fruit fly of approximately 65 square miles in the Rialto area of San Bernardino County. The effect of the amendment is to remove authority for the State to regulate movement of hosts and possible carriers of Oriental fruit fly within and from these areas, because it is no longer necessary to protect California's agricultural industry since the fly has been eradicated from these areas. The proposed action does not differ from any existing, comparable federal regulation or statute.

#### COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The Department of Food and Agriculture has determined that Section 3423 does not impose a mandate on local agencies or school districts, except that an agricultural commissioner of a county under quarantine has a duty to enforce Section 3423. No reimbursement is required for Section 3423 under Section 17561 of the Government Code because this amendment removes the portion of San Bernardino County that was in the area under quarantine from the regulation; therefore, enforcement is no longer necessary. There are no mandated costs associated with the removal of this area (Rialto) from the regulation.

The Department also has determined that no savings or increased costs to any state agency, no reimbursable

costs or savings under Part 7 (commencing with Section 17500) of Division 4 of the Government Code to local agencies or school districts, no nondiscretionary costs or savings to local agencies or school districts, and no costs or savings in federal funding to the State will result from the proposed action.

#### EFFECT ON HOUSING COSTS

The Department has made an initial determination that the proposed action will not affect housing costs.

#### EFFECT ON BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states.

#### COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

#### ASSESSMENT

The Department has made an assessment that the proposed amendments to the regulations would not (1) create or eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

#### ALTERNATIVES CONSIDERED

The Department of Food and Agriculture must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

#### AUTHORITY

The Department proposes to amend Section 3423(b) pursuant to the authority vested by Sections 407, 5301, 5302 and 5322 of the Food and Agricultural Code.

## REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301, 5302 and 5322 of the Food and Agricultural Code.

## EFFECT ON SMALL BUSINESS

The amendment of this regulation may affect small businesses.

## CONTACT

The agency officer to whom written comments and inquiries about the initial statement of reasons, proposed action, location of the rulemaking file, request for a public hearing, and final statement of reasons may be directed is: Stephen S. Brown, Department of Food and Agriculture, Plant Health and Pest Prevention Services, 1220 N Street, Room A-316, Sacramento, California 95814, (916) 654-1017, FAX (916) 654-1018, E-mail: [sbrown@cdfa.ca.gov](mailto:sbrown@cdfa.ca.gov). In his absence, you may contact Liz Johnson at (916) 654-1017. Questions regarding the substance of the proposed regulations should be directed to Stephen S. Brown.

## INTERNET ACCESS

The Department has posted the information regarding this proposed regulatory action on its Internet web-site ([www.cdfa.ca.gov/cdfa/pendingregs](http://www.cdfa.ca.gov/cdfa/pendingregs)).

## AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Department of Food and Agriculture has prepared an initial statement of reasons for the proposed action, has available all the information upon which its proposal is based, and has available the express terms of the proposed action. A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, when completed, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

If the regulations repealed by the Department differ from, but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of repeal. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer (contact) named herein.

## TITLE 13. DEPARTMENT OF MOTOR VEHICLES

### NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to amend Section 425.01, regarding the Administrative Fee for Vehicle Code Book, in Article 6 (Administration), Chapter 1, Division 1, of Title 13, California Code of Regulations.

### PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

### DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M. on April 9, 2007, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulations.

### AUTHORITY AND REFERENCE

The department proposes to amend the proposed action under the authority granted by Vehicle Code section 1651 in order to implement, interpret or make specific Vehicle Code section 1656(a).

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code Section 1656 requires the department to publish the California Vehicle Code once every two years and distribute the Vehicle Code at a charge sufficient to pay the entire cost of publishing and distributing the code.

The department is proposing an administrative fee increase to \$9.00 per copy of the Vehicle Code plus the actual cost of shipping the Code books to the requester.

### FISCAL IMPACT STATEMENT

- Cost Or Savings To Any State Agency: State agencies will be required to pay the administrative



fee of \$9 per copy of the Vehicle Code book plus shipping costs, if applicable.

- Other Non-Discretionary Cost or Savings to Local Agencies: Local and federal agencies will be required to pay the administrative fee of \$9 per copy of the Vehicle Code book plus shipping costs, if applicable.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: There will be an increased cost to obtain a paper copy of the Vehicle Code book.
- Effect on Housing Costs: None.

#### DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action has no effect that would have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. Although there is an increased fee to receive a hard copy of the Vehicle Code book, the Code is available on the department's website.
- The amendment of this regulation will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate which requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will not affect small businesses since there is no mandate to purchase a Vehicle Code book and the Vehicle Code is available on the Internet.

#### ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

#### CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Randi Calkins, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-8898, or [rcalkins@dmv.ca.gov](mailto:rcalkins@dmv.ca.gov). In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at (916) 657-5690 or [dbaity@dmv.ca.gov](mailto:dbaity@dmv.ca.gov). The fax number for the Regulations Branch is (916) 657-1204.

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeouts to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public, upon request, the initial and final statement of reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at [www.dmv.ca.gov](http://www.dmv.ca.gov), Other Services, Legal Affairs Division, Regulatory Actions Web Page.

#### AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

## TITLE 13. DEPARTMENT OF MOTOR VEHICLES

### NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to amend Section 330.08, in Chapter 1, Division 1, Article 4.5, of Title 13, California Code of Regulations, to comply with a change in the Civil Code regarding the certificate of acknowledgment within the department's Appointment of Director as Agent for Service of Process form, which is currently in regulations.

### PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

### DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M. on *April 9, 2007*, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulations.

### AUTHORITY AND REFERENCE

The department proposes to adopt the proposed action under the authority granted by Vehicle Code section 1651, in order to implement, interpret or make specific Section 1189 of the Civil Code.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly bill 361 (Statutes of 2005, Chapter 295) made significant changes in the laws governing public notaries and amended Civil Code section 1189 to require specific language in the California certificate of acknowledgment.

The certificate of acknowledgment is used by the department to verify the signature of the principal on the Appointment of Director as Agent for Service of Process form, ADM 9050 (R9/2006). The department proposes to amend Section 330.08, in Title 13, California Code of Regulations, to comply with changes to Civil Code section 1189.

**§330.08 Registration Service Surety Bond Requirements.** Section 330.08 informs the affected public of the mandatory language required for official department certificate of acknowledgment forms and the Appointment of Director as Agent for Service of Process form specifically.

### DOCUMENTS INCORPORATED BY REFERENCE

Appointment of Director as Agent for Service of Process ADM 9050 (Rev. 9/2006)

It would be impractical, cumbersome or unduly expensive to publish the document in the California Code of Regulations. The form is currently available to the public on the Internet at [www.dmv.ca.gov/adm/adm9050.pdf](http://www.dmv.ca.gov/adm/adm9050.pdf).

### FISCAL IMPACT STATEMENT

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Any costs that would be incurred would be the result of compliance with California's notarial law. The form is available from the Department's Internet web site listed above.
- Effect on Housing Costs: None.

### DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. No studies or data were relied upon in support of this proposal.

- The adoption of this regulatory action will neither create nor eliminate jobs or create businesses in the state of California, will not result in the elimination of existing businesses, and will not reduce or expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will not affect small businesses because the proposed regulatory action complies with Civil Code section 1189 that requires standardized language for all California certificate of acknowledgment forms.

#### PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot be reviewed during the comment period.

#### ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

#### CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Christie Patrick, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-5567, or [cpatrick@dmv.ca.gov](mailto:cpatrick@dmv.ca.gov). In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at (916) 657-5690 or email [dbaity@dmv.ca.gov](mailto:dbaity@dmv.ca.gov). The fax number for the Regulations Branch is (916) 657-1204. When submitting comments by email, the subject line should read "Comments on the Certificate of Acknowledgment Regulations".

#### AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons and the location of public records, including reports, draft forms, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons and Express Terms) may be accessed at [www.dmv.ca.gov/about/lad/regactions.htm](http://www.dmv.ca.gov/about/lad/regactions.htm).

#### AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

### TITLE 14. NATURAL RESOURCES

#### DIVISION 2. DEPARTMENT OF CONSERVATION CHAPTER 5. DIVISION OF RECYCLING

#### NOTICE OF PROPOSED ACTION

##### Distributor Administrative Fee

NOTICE IS HEREBY GIVEN that the Department of Conservation (Department), Division of Recycling (Division) proposes to adopt amendments to the California Code of Regulations (CCR). Commencing with Subchapter 4, Chapter 5, Division 2, Title 14 of the CCR, the Division will propose permanent regulations, after the consideration of all comments, objections or recommendations. The proposed amendments are as follows:

Subchapter 4.

Article 1. Distributor Requirements

§2305. RECORDKEEPING

Amended Subsection 2305(c): Has been amended to reflect the change in the revision date of the Distributor Report Form (DR-3). The prior revision to this form was made in October 2006. This amendment is necessary to reflect that the most recent amendment to this form is July 2007.

§2310. REPORTING

Subsection 2310(a)(1): Has been amended to reflect the change in the revision date of the Distributor Report Form (DR-3). The prior revision to this form was made in October 2006. This amendment is necessary to reflect that the most recent amendment to this form is July 2007.

Subsection 2310(a)(2): Has been amended to reflect the change in the revision date of the Distributor Report Form (DR-3). The prior revision to this form was made in October 2006. This amendment is necessary to reflect that the most recent amendment to this form is July 2007.

Subsection 2310(a)(2)(B): Has been amended to show the prefix to be added to the identification number required on the distributor reporting form (DR-3). Prior to the passage of AB 1763/Committee on Natural Resources (Chapter 202, Statutes of 2005), the reporting deadlines differed for distributors of all beer and malt beverage containers, and distributors of other than beer and malt beverage containers. Distributors were required to submit their Distributor Report (DR-3) with an assigned identification number with either a prefix of "DB" to identify a distributor of all beer and malt beverage containers, or a "DS" prefix for a distributor of other than beer and malt beverage containers. AB 1763 amended the reporting deadlines to coincide for both types of beverage distributors. Because the reporting deadlines now coincide, it is no longer necessary to identify the type of distributor by the "DB" or "DS" prefix. Therefore, all distributors of beverage containers may utilize the "DS" prefix when completing the Distributor Report (DR-3).

§2320. PAYMENTS

Amended Subsection 2320(a): Has been amended to reflect the change in the administrative fee withheld by distributors of beverages in California. This change will remove the percent shown in the regulations and instead reference the amount to be withheld as shown in statute.

Deleted Subsection 2320(e): Has been removed because the amount of the administrative fee is now referenced in statute.

Renumbered Subsection 2320(f): Has been renumbered to 2320(e) due to the deletion of old subsection 2320(e).

Renumbered Subsection 2320(g): Has been renumbered to 2320(f) due to the deletion of old subsection 2320(e), and the renumbering of old subsection 2320(f).

INFORMATION IS AVAILABLE UPON REQUEST

Copies of the express terms of the proposed action, the initial statement of reasons, and all of the information upon which this proposal is based are available upon request. The rulemaking file is available to the public for review during normal business hours at the Division of Recycling, 801 "K" Street, 19th Floor, Sacramento, California. For general or substance questions regarding this file, please contact the agency contact person, Cheryl DuBose, at (916) 323-0728. The backup agency contact person for this rulemaking file is Marty Nold, who may be contacted at (916) 327-2761. Any technical inquiries shall be referred to the appropriate staff to ensure a prompt response.

SUBMITTING WRITTEN COMMENTS

The written comment period permits any interested person, or their authorized representative, to submit written comments addressing the proposed amendment to the Department. Written comments, which offer a recommendation and/or objection, or support the proposed amendment, should indicate the amended section to which the comment or comments are directed. Written comments should be sent to the Department and received before the close of the public comment period, no later than 5:00 p.m. on April 23, 2007. Additionally, we request that written comments reference a subsection or section of the proposed action. Written comments received by the Department after the close of the public comment period will not be responded to in the rulemaking file. Submit your written comments to: Cheryl DuBose, Distributor Administrative Fee Permanent Regulations, Department of Conservation, Division of Recycling, 801 "K" St., MS 19-02, Sacramento, CA 95814. During the 45-day comment period, written comments may also be E-mailed to: [DORRegulations@consrv.ca.gov](mailto:DORRegulations@consrv.ca.gov), or faxed to (916) 323-0732.

PUBLIC HEARING

A public hearing has not been scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later



than 15 days prior to the close of the written comment period.

### SUBSTANTIAL REVISIONS WILL REQUIRE A RENOTICE

Following the public comment period, the Department will adopt the regulations without further notice. However, if the Department chooses to substantially alter or revise the proposed regulatory action, a revised notice, called a renote, and the amended version of the proposed text of the regulations will be made available to the public for another public comment period for fifteen (15) days prior to its adoption. Those persons who testified at the public hearing, if held, or submitted written comments at the public hearing, or whose comments were received by the Department during the public comment period, or who requested notification from the Department of the availability of changes to the text of the proposed regulations, will be sent any renotes.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Under the existing law, the California Beverage Container Recycling and Litter Reduction Act (Act) encourages recycling of specific beverage containers and the reduction of littered beverage containers along the State's highways. Under this Act, the Department through the Division, is responsible for administering the Act and protecting the integrity of the California Beverage Container Recycling Fund (Fund).

The Department allows distributors to retain an administrative fee that is a certain percentage of the California Redemption Value (CRV) they must pay on beverage containers they sell in California. The passage of AB 3056 increased the amount of money (administrative fee) that distributors may deduct from their redemption payment to the Division, to cover their administrative costs. The administrative fee was increased from one percent (1 %) to one and one half percent (1.5%) of the reported redemption payment. This permanent regulation is necessary to remove a stated administrative fee, and clarify that the distributor may deduct an administrative fee from their redemption payment. . . as authorized in Section 14574 of the Act". This clarification will prevent future promulgation of regulations if the amount of the administrative fee deduction is again changed in statute, because this regulation change refers to the statute that authorizes the deduction.

Emergency regulations were filed with the Office of Administrative Law (OAL) and became effective on December 5, 2006, and will expire on April 5, 2007, im-

plementing changes to the distributor requirements in Sections 2305, 2310, and 2320, as established by AB 3056. These proposed regulations will make the emergency regulations permanent, clarifying the distributor administrative fee provisions, consistent with the changes enacted in AB 3056. In addition, these proposed regulations will allow the Department to make necessary changes to the DR-3 reporting form used by distributors, to reflect a change in the CRV rate that will take effect July 1, 2007. Effective that date, the CRV will increase from 4-cents to 5-cents for beverage containers with a capacity of less than 24 fluid ounce, and from 8-cents to 10-cents for beverage containers with a capacity of 24 fluid ounces or more.

In addition, AB 1763/Committee on Natural Resources (Chapter 202, Statutes of 2005,) amended the reporting deadlines to coincide for both types of beverage distributors. Because the reporting deadlines now coincide, it is no longer necessary to identify the type of distributor by a "DB" (distributors of all beer and malt beverage containers), or "DS" (distributors of other than beer and malt beverage containers) prefix. Therefore, these regulations will clarify that all distributors of beverage containers may utilize the "DS" prefix when completing the Distributor Report (DR-3).

### AUTHORITY

These regulations are submitted pursuant to the Department's authority under Public Resources Code Sections, 14530.5(b) and 14536.

### REFERENCE

Public Resources Code Sections 14530.5, 14537, 14550(b) and (c), 14560, 14561, 14571.9, 14572.5, and 14574.

### DISCLOSURES REGARDING THE PROPOSED ACTION

Mandate on local agencies and school districts: The Department has determined that adoption of these proposed regulations do not impose any new mandates on local agencies or local school districts.

Cost or savings to any state agency: No savings or additional expenses to state agencies are identified because the implementation of statute is financed by the beverage container recycling program itself.

Costs to any local agency or school district which must be reimbursed in accordance with Government Code §§17500 through 17630: The Department has determined that the adoption of these proposed regulations does not impose any additional cost obligations on local agencies or on local school districts.



Other non-discretionary cost or savings imposed upon local agencies: No other non-discretionary costs or savings to local agencies have been identified.

Cost or savings in federal funding to the State: No costs or savings in federal funding to the state have been identified.

Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: The Department has determined that no significant impact to California businesses will result from the adoption of this proposed regulatory language. These proposed regulations serve to clarify and make specific existing statutory requirements.

Potential cost impact on private persons or directly affected businesses: The Department has determined that no significant impact to California private persons or directly affected businesses will result from the adoption of this proposed regulatory language. These proposed regulations serve to clarify and make specific existing statutory requirements.

Creation or elimination of jobs in California: The Department has determined that the adoption of these regulations will not:

- Create or eliminate jobs within California;
- Create new nor eliminate existing businesses within California;
- Expand businesses currently doing business in California.

Significant effect on housing costs: The Department has determined that the adoption of these regulations will have no significant effect on housing costs.

Effects on small businesses: The Department has determined that the adoption of these proposed regulations will insignificantly affect small businesses. These proposed regulations serve to clarify and make specific existing requirements contained in statute. These proposed regulations do not mandate actions upon private persons or businesses, but rather clarifies existing statutory mandates.

## CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative that it considers or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action. The Department has not identified any adverse impacts resulting from these proposed regulations.

## FINAL STATEMENT OF REASONS

A copy of the final statement of reasons may be obtained, when it becomes available, from the agency contact person or backup contact person identified in this notice.

## ACCESSING INFORMATION REGARDING THIS FILE ON THE DEPARTMENT OF CONSERVATION WEBSITE

The text of the proposed regulations, the Notice of Proposed Action, the Initial Statement of Reasons and the Final Statement of Reasons, when available for review, will be on the Department of Conservation website at: [www.conservation.ca.gov](http://www.conservation.ca.gov).

## TITLE 14. FISH AND GAME COMMISSION

### Notice of Proposed Changes in Regulations

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 205, 210, 220, 240, 355, 1050, 1055, 1055.1, 1526, 1528, 1530, 1570-72, 1765, 4331, 5521, 7149.8, 7380, 8491 and 10504, of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 205, 206, 208, 215, 220, 240, 355, 356, 713, 1050, 1055.1, 1055, 1526, 1528, 1530, 1570-72, 1764, 1765, 2006, 3031, 4331, 5521, 7145, 7149.05, 7149.2, 7149.8, 7150, 7380, 7381, 7382, 8491, and 10504 of said Code, proposes to amend sections 1.74, 29.15, 116, subsections 300(a)(1)(D)5, 551(j) and Section 704, and to add Section 700.5, Title 14, California Code of Regulations, relating to Establishment of the Automated License Data System.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Department of Fish and Game (DFG) was given Legislative as well as Control Agency approval to purchase and implement the new Automated Data License System (ALDS). The contract for this system was signed on July 12, 2006 and the License and Revenue Branch (LRB) is currently in the system design phase of this project. This regulation change proposal is the first of several proposals that will be submitted by LRB in order to allow the DFG to implement and use this new system. This package seeks to change existing regulations that are too specific and thus limit the DFG to the current manual system. Without these proposed

changes to our regulations, the DFG will be unable to implement and use the ALDS system. In addition to the changes needed to implement ALDS, a few additional minor changes are suggested to update regulatory provisions so they are in keeping with present practices, consistent with other statutes and regulations and for clarity purposes.

The specifics of each of these changes are as follows:

**Add Section 700.5:**

Currently in Title 14 there exists over 70 different sections where an application, report or form is mentioned and/or required. Under the ALDS system, while the same information contained on those applications, reports or forms will be required, the forms themselves will be obsolete and the necessary information will be gathered, entered and returned electronically. However, during the transitional period the possibility does exist that we will be operating in both the current manual environment as well as the new ALDS environment. Therefore, this new section is needed to redefine the terms applications, reports and forms to allow us the flexibility to implement and use the ALDS system while still keeping the current manual license environment functional.

**Amend Section (a) and (b) of Section 1.74:**

Amend Subsection (a) because the current license system requires that the fishing license number be recorded on the salmon punch card and that the salmon punch card number be recorded on the fishing license. These provisions are in place to prevent individuals from purchasing more than one Salmon Punch Card per license year. Under the ALDS, all license sales will be processed real-time and stored in the central ALDS database. The ALDS will enforce business rules including license quantity restrictions. The need to cross-reference license document numbers will be eliminated. This section is being amended to accommodate issuance procedures for both the current license system and the ALDS.

Amend Subsection (b) because the return address for the steelhead report card is outdated in regulation. This change now directs anglers to return their cards to the address specified on the card, thus eliminating the need for future regulation changes to correct the address.

**Amend Subsection (h) and (i) of Section 29.15:**

Amend Subsection (h) to change the current abalone regulations which require that anglers punch a hole and completely remove the punch section (chad) from their abalone permit report cards. Under the ALDS, the license stock or paper will not have pre-punched holes, therefore there will be no "chad" to remove. In addition, this section is being amended because the return address for the abalone report card is outdated in regulation. This change now directs divers to return their abalone

report cards to the address specified on the card, thus eliminating the need for future regulation changes to correct the address.

Amend Subsection (i) because the current license system requires that the fishing license number be recorded on the abalone report card and that the abalone report card number be recorded on the fishing license. These provisions are in place to prevent individuals from purchasing more than one Abalone Permit Report Card per license year. Under the ALDS, all license sales will be processed real-time and stored in the central ALDS database. The ALDS will enforce business rules including license quantity restrictions. The need to cross-reference license document numbers will be eliminated. The amendment is proposed to accommodate issuance procedures for both the current license system and the ALDS.

**Amend Subsection (a)(5)(6)(7)(8) of Section 116:**

Amend Subsection (a)(5) as it is not consistent with ALDS document printing requirements.

Amend Subsection (a)(6) as this regulation is overly prescriptive and inconsistent with DFG treatment of other similar and/or identical requirements.

Amend Subsection (a)(7) to remove the permit year specifics due to redundancy as the permit year is already identified in Section 7857 of the Fish and Game Code.

Amend Subsection (a)(8) to renumber.

**Amend Subsection (a)(1)(D)5 of Section 300:**

This change is proposed to direct hunters to the DFG website for specifics on how to apply for sage grouse permits. This will allow us to update the instructions for applying for these permits on our website eliminating the need for future regulation changes when business processes and/or addresses change. In addition, language specifying the deadline to apply for permits is being clarified.

**Amend Subsection (j) of Section 551:**

This change is proposed to clarify language specifying the type of hunting license that is required to apply for a waterfowl reservation.

**Amend Section 705:**

Amend Subsection (a) of Section 705 for clarity purposes.

Amend Subsection (b) of Section 705 to refer to the correct section of Fish and Game Code, Section 7149(a)(5), which specifies One-Day Sport Fishing Licenses.

Amend Subsection (c) to remove obsolete terms.

Amend Subsections (d) and (e) to accommodate for issuance procedures in both the current license system and the ALDS. Specifically, these sections specify the requirements for purchasing a sport fishing or hunting license for another individual and identify the circumstances under which a voucher may be purchased.

## BACKGROUND ON THE AUTOMATED LICENSE DATA SYSTEM (ALDS)

By the end of November 2007, the DFG will have automated the current manual issuance process of recreational licenses (i.e. Sport Fishing, Hunting, etc.). The new automated licensing system, known as the Automated License Data System or ALDS will electronically link point-of-sale (POS) terminals at DFG sales offices and approximately 1,600 retail license agent locations statewide allowing license agents the ability to sell all recreational licensing items including several that are currently available only from DFG offices. The ALDS will also allow customers the ability to purchase recreational licenses via the Internet and/or the telephone. The ALDS POS equipment consists of a 15" touch screen color monitor with an embedded CPU, a magnetic card reader, a bar code scanner and a direct thermal printer which prints licenses instantly on highly durable paper, foldable to credit card size for easy carrying or displaying.

## BENEFITS OF ALDS

- Increase customer access to license items by making more items available for sale at license agents, via the Internet and the telephone.
- Improve the license sales and issuance process by eliminating the current cumbersome manual issuance process thus making it quicker and easier to buy a license.
- Subsequent year licenses, privileges and, if necessary, duplicate licenses will be faster and easier as customer data will be stored and retrievable instantly eliminating the need to fill out paperwork at every purchase.
- Helps ensure customers are properly licensed as built-in logic will limit license selection to those licenses each customer is qualified for.
- Allow customers to enter drawings and obtain status/results at license agent locations and via the Internet.
- Reduce the risk of untimely and uncollectible license sales revenues from license agents.
- Eliminate cumbersome manual issuance and accounting of license inventory, as well as, reduce printing, postage and storage costs.
- Provide online, real time access for all DFG offices and dispatch centers for law enforcement purposes.
- Provide the ability to participate in multi-State and Agency data sharing projects, e.g., Hunter Education programs and law enforcement compacts.

- Provide databases to improve resource management decisions, identify customer perceptions and attitudes, develop marketing strategies, and retain or restore hunter and angler participation.
- Provide the ability for the DFG to meet Federal and State data collection and reporting mandates that are not currently achievable, e.g., the State Licensing Match System.
- Provide the DFG the mechanism to offer new and related State and Federal services to a broader range of customers, such as, State Park Day Use Permits, Electronic Federal Duck Stamps and National Forest Adventure Passes.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Bodega Bay Marine Laboratory Lecture Hall, 2099 Westside Road, Bodega Bay, California, on April 13, 2007, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2007 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 9, 2007. All comments must be received no later than April 13, 2007, at the hearing in Bodega Bay, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon Snellstrom at the preceding address or phone number. **Mr. Richard Reyes, ALDS Program, License and Revenue Office, Department of Fish and Game, phone (916) 928-6899, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

### Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed,



they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

### **Impact of Regulatory Action**

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. These changes will allow for the automation of the current manual processes involved with the selling/issuing of licenses.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:  
None.

### **Effect on Small Business**

It has been determined that the adoption of these regulations may affect small business.

### **Consideration of Alternatives**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

## **TITLE 16. BOARD OF PHARMACY**

NOTICE IS HEREBY GIVEN that the Board of Pharmacy is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed in writing. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board of Pharmacy at its office not later than 5:00 p.m. on April 9, 2007.

The board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the board. The request must be received in the board office not later than 5 p.m. on March 25, 2007.

The Board of Pharmacy, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

**Authority and Reference:** Pursuant to the authority vested by section 4005 of the Business and Professions Code and to implement, interpret, and make specific reference sections 733 and 4122, Business and Professions Code, the Board of Pharmacy is considering changes to Division 17 of Title 16 of the California Code of Regulations as follows:

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Business and Professions Code section 4005 generally authorizes the board to amend rules and regulations pertaining to the practice of pharmacy.

California Code of Regulations Section 1707.2 currently requires that every pharmacy shall prominently post a "Notice to Consumers" poster as authorized by Business and Professions Code section 4122.

Assembly Bill 2583 (Chapter 487, Statutes 2006) amended sections 733 and 4122 of the Business and Professions Code to require the board to add to the "Notice to Consumers", a statement that describes a patient's rights to obtain medication from a pharmacy even if a pharmacist has ethical, moral or religious grounds against dispensing a particular drug, in which case protocols for getting the medication is required.

Section 1707.2 of the California Code of Regulations will be amended to include the additional language now required.

The board will develop and distribute the "Notice to Consumers" poster.

### FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: \$18,000

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Business Impact: The board has made an initial determination that the proposed regulatory action would have no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Impact on Jobs/New Businesses: The Board of Pharmacy has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business: The Board of Pharmacy is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The Board will develop, reproduce and distribute this revised Notice to Consumer within existing Board funding.

Effect on Housing Costs: None.

### EFFECT ON SMALL BUSINESS

The Board of Pharmacy has made an initial determination that the proposed regulatory action would not

have a significant adverse economic impact directly affecting small business. This proposal expands the information contained on the existing "Notice to Consumer" posting and requires that pharmacies post the revised poster(s). The board will develop and reproduce the poster at no additional cost to pharmacies.

### CONSIDERATION OF ALTERNATIVES

The Board of Pharmacy must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

Any interested person may present written statements relevant to the above determinations to the Board of Pharmacy at the above-mentioned address.

### INITIAL STATEMENT OF REASONS AND INFORMATION

The Board of Pharmacy has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

### TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons may be obtained upon request from the Board of Pharmacy at 1625 N. Market Blvd. N219, Sacramento, California 95834, or from the Board of Pharmacy Web site ([www.pharmacy.ca.gov](http://www.pharmacy.ca.gov)).

### AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

### CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:



Name: Anne Sodergren  
 Address: 1625 N. Market Blvd. N219  
 Sacramento, CA 95834  
 Telephone No.: (916) 574-7913  
 Fax No.: (916) 574-8618  
 E-Mail Address: anne\_sodergren@dca.ca.gov

The backup contact person is:

Name: Virginia Herold  
 Address: 1625 N. Market Blvd. N219  
 Sacramento, CA 95834  
 Telephone No.: (916) 574-7911  
 Fax No.: (916) 574-8618  
 E-Mail Address: virginia\_herold@dca.ca.gov

Website Access: Materials regarding this proposal can be found [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov)

## **TITLE 19. GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

### **GOVERNOR'S OFFICE OF EMERGENCY SERVICES (AND GOVERNOR'S OFFICE OF HOMELAND SECURITY)**

#### **NOTICE OF INTENTION TO ADOPT OR AMEND A CONFLICT OF INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Governor's Office of Emergency Services and the Governor's Office of Homeland Security intend to jointly amend a conflict of interest code pursuant to Government Code Section 87300 and 87306. Pursuant to Government Code Section 87302, the code will designate employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests.

A written comment period has been established commencing on February 23, 2007 and terminating on April 30, 2007. Any interested person may present written comments concerning the proposed code no later than **April 30, 2007** to Linda MacRae, Governor's Office of Emergency Services, Legal Department, 3650 Schriever Avenue, Mather, CA 95655. No public hearing on this matter will be held unless any interested person or his or her representative requests no later than 15 days prior to the close of the written comment period, a public hearing.

The Governor's Office of Emergency Services has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has

available all of the information upon which its proposal is based.

This amendment will do the following:

- Repeal the existing conflict of interest code for the Governor's Office of Emergency Services and Governor's Office of Homeland Security
- Repeal the existing conflict of interest code for the former Office of Criminal Justice Planning
- Adopt a new conflict of interest code that reflects current job classifications of designated employees for the Governor's Office of Emergency Services and the Governor's Office of Homeland Security

Copies of the proposed code and all of the information upon which it is based may be obtained from the Governor's Office of Emergency Services, Legal Department, 3650 Schriever Avenue, Mather, CA 95655. Any inquiries concerning the proposed code should be directed to Linda MacRae, Staff Counsel (916) 845-8522 [Linda.Macrae@oes.ca.gov].

## **DISAPPROVAL DECISIONS**

### **DECISIONS OF DISAPPROVAL OF REGULATORY ACTIONS**

Printed below are the summaries of Office of Administrative Law disapproval decisions. Disapproval decisions are available at [www.oal.ca.gov](http://www.oal.ca.gov). You may also request a copy of a decision by contacting the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339, (916) 323-6225 — FAX (916) 323-6826. Please request by OAL file number.

### **BOARD OF OCCUPATIONAL THERAPY**

#### **STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW**

**In re:**

**AGENCY: BOARD OF  
OCCUPATIONAL THERAPY**

**REGULATORY ACTION:**

**Title 16**

**California Code of Regulations**

**Adopt section 4152.1**

#### **DECISION OF DISAPPROVAL OF REGULATORY ACTION**

**(Gov. Code, sec. 11349.3)**

**OAL File No. 06-1221-06 S**

**SUMMARY OF REGULATORY ACTION**

The California Board of Occupational Therapy (“Board”) adopted Title 16 California Code of Regulations section 4152.1 to govern the application of medications by occupational therapists via iontophoresis and phonophoresis.

On February 6, 2007, the Office of Administrative Law (“OAL”) notified the Board of the disapproval of the adoption of Title 16 California Code of Regulations section 4152.1. OAL disapproved section 4152.1 for the following reasons: (1) failure to comply with the “Clarity” standard of Government Code section 11349.1, (2) failure to comply with the “Consistency” standard of Government Code section 11349.1, and (3) failure to comply with the “Necessity” standard of Government Code section 11349.1.

February 13, 2007

/s/

HOLLY GENEVA STOUT  
Staff Counsel

For:

WILLIAM L. GAUSEWITZ  
Director

Original: Heather Martin, Executive Director

**SUMMARY OF REGULATORY  
ACTIONS**

**REGULATIONS FILED WITH  
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

**AIR RESOURCES BOARD**

Diesel Verification Procedure, Warrant & In-Use

In 1998, the ARB identified diesel particulate matter (“PM”) as a toxic air contaminant. Subsequently, the ARB adopted the Diesel Risk Reduction Plan in 2000 (“Plan”), a primary goal of which was to reduce emissions of diesel PM from the “long-lived in-use fleet.” The Plan includes the use of diesel emission control systems with existing diesel vehicles and equipment. The ARB first verifies the emission control technologies are

effective in reducing emissions. A procedure evaluating the technologies available was adopted in May 2002. Included in the procedure adopted was a limit on the emissions of nitrogen dioxide (NO<sub>2</sub>). The limit was included because many diesel emission control systems that were effective in reducing emissions of diesel PM also increased emissions of NO<sub>2</sub> beyond a permissible level, based on the technology used to reduce PM levels. In short, the output of PM is inversely related to the output of NO<sub>2</sub>. These amendments propose to change the NO<sub>2</sub> limit in recognition of the fact that most emission control devices cannot meet the January 1, 2007 standard, as well as adding new pre-conditioning requirements of emission control units and test engine requirements.

Specifically, the NO<sub>2</sub> level will change from a maximum 20% of the total nitrous oxide (NO<sub>x</sub>) emissions, which all but three of the currently available emission control devices are unable to meet, to a maximum increase in NO<sub>x</sub> emissions because of the PM device of 30% of the baseline NO<sub>x</sub>. Currently, the NO<sub>2</sub> level is based on the total output of emissions, including any engine NO<sub>x</sub>. The amendment changes the measurement of NO<sub>2</sub> to be a percentage of NO<sub>x</sub> emitted from only the PM trapping device. On January 1, 2009, the permissible proportion will be reduced to 20%. These are the levels required for a PM device to become verified as compliant with the ARB’s program to reduce PM.

Title 13

California Code of Regulations

AMEND: 2702, 2703, 2704, 2706, 2707, 2709

Filed 02/09/07

Effective 02/09/07

Agency Contact: Alexa Malik (916) 322-4011

**BOARD OF EDUCATION**

Quality Education Investment Act (QEIA)

This emergency rulemaking action sets forth the process for and key elements of QEIA grant applications and the manner in which the applications will be reviewed, ranked.

Title 5

California Code of Regulations

ADOPT: 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, 1000.6, 1000.7

Filed 02/08/07

Effective 02/08/07

Agency Contact: Debra Strain (916) 319-0641

**BOARD OF PSYCHOLOGY**

Disciplinary Guidelines

This regulatory action renumbers some sections in the Board’s Disciplinary Guidelines and changes the version date for that document, which had previously been incorporated by reference.

Title 16  
California Code of Regulations  
AMEND: 1397.12  
Filed 02/08/07  
Agency Contact: Kathy Bradbury (916) 263-0712

**CALIFORNIA GAMBLING CONTROL COMMISSION**

**Discipline, Hearings, and Decisions**

This action adopts disciplinary guidelines to assure uniformity in administration of discipline of licensees, registrants and permittees, specifies hearing procedure, provides for settlement, and the adoption of precedential decisions.

Title 4  
California Code of Regulations  
ADOPT: 12550, 12552, 12554, 12556, 12558, 12560, 12562, 12564, 12566, 12568, 12572  
Filed 02/08/07  
Effective 03/10/07  
Agency Contact: Heather Cline-Hoganson (916) 274-6328

**CALIFORNIA GAMBLING CONTROL COMMISSION**

**Initial State Gambling License Fee**

This action implements the requirements of Business and Professions Code section 19951(b)(2)(A) by establishing the California Gambling Control Commission's schedule of fees charged for an initial state gambling license.

Title 4  
California Code of Regulations  
ADOPT: 12341  
Filed 02/08/07  
Effective 02/08/07  
Agency Contact: Herb Bolz (916) 263-0700

**DEPARTMENT OF FISH AND GAME**

**Determining Amount of Petroleum Hydrocarbons Recovered**

The California Department of Fish and Game is amending section 880, title 14, California Code of Regulations. The aforementioned section is entitled "Calculation for Total Recovery of Petroleum Hydrocarbons." The instant filing is correcting an error made in file No. 97-0611-03R.

Title 14  
California Code of Regulations  
AMEND: 880  
Filed 02/08/07  
Effective 02/08/07  
Agency Contact: Joy Lavin-Jones (916) 327-0910

**DEPARTMENT OF FOOD AND AGRICULTURE**  
**Diaprepes Root Weevil Interior Quarantine**

This certificate of compliance makes permanent the emergency regulations (OAL file no. 06-1005-02E) that added approximately seven (7) square miles to the La Jolla area and two (2) square miles to the Encinitas area of San Diego County to areas already under quarantine in the county for the Diaprepes root weevil (Diaprepes abbreviatus).

Title 3  
California Code of Regulations  
AMEND: 3433(b)  
Filed 02/08/07  
Effective 02/08/07  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF FOOD AND AGRICULTURE**  
**Oak Mortality Disease Control**

This action is the Certificate of Compliance filing making permanent the prior emergency amendment of the regulation which added four plant species to the list of hosts or potential carriers of the disease, eight plant species to the list of associated articles (nursery stock), and specified the particular cultivars of Rosa covered by the regulation. The prior emergency filing made permanent here is OAL file number 06-0929-01E.

Title 3  
California Code of Regulations  
AMEND: 3700(c)  
Filed 02/14/07  
Effective 02/14/07  
Agency Contact: Stephen Brown (916) 654-1017

**DEPARTMENT OF PESTICIDE REGULATION**  
**Pesticide Product Registration**

This regulatory action is to amend three subdivisions to restore them to the wording that existed prior to an Appellate Court ruling, Syngenta Crop Protection, Inc. v. Helliker [2006] 40 Cal.Rptr.3d 278, which invalidated them since DPR had not allowed opportunity for public comment.

Title 3  
California Code of Regulations  
AMEND: 6170, 6172, 6200  
Filed 02/08/07  
Effective 03/10/07  
Agency Contact: Linda Irokawa-Otani (916) 445-3991

**DEPARTMENT OF PESTICIDE REGULATION**  
**Pesticide Product Registration**

This regulatory action is to amend three subdivisions in Title 3 as a result of a recent Appellate Court ruling:

Syngenta Crop Protection, Inc. v. Helliker [2006] 40 Cal.Rptr.3d 278. This ruling in 2–26–06 was appealed to the State Supreme Court which denied the petition for review on 8–2–06. This court ruling is final since no further appeals are available. This action is submitted pursuant to 1 CCR 100(a)(3).

**Title 3**

California Code of Regulations

AMEND: 6170, 6172, 6200

Filed 02/07/07

Agency Contact:

Linda Irokawa–Otani (916) 445–3991

**FISH AND GAME COMMISSION**

Non–Transferable Squid Light Boat Permits and Permit Fees

This regulatory action establishes the criteria and application procedures for a Non–Transferable Market Squid Light Boat Permit, establishes the fee amount of this permit and deals with transferability of permits.

**Title 14**

California Code of Regulations

AMEND: 53.03, 149, 149.1

Filed 02/13/07

Effective 02/13/07

Agency Contact: Sheri Tiemann (916) 654–9872

**RESPIRATORY CARE BOARD**

Home Respiratory Care

Respiratory Care Board submitted amendment to section 1399.302 and adoption of section 1399.360 of Title 16 to establish criteria and conditions under which an unlicensed individual may perform basic, minor services related to home respiratory care pursuant to Business and Professions Code 3765(h). Services are limited to delivery, setup, and usage instructions of specified home respiratory care equipment.

**Title 16**

California Code of Regulations

ADOPT: 1399.360 AMEND: 1399.302

Filed: 02/14/07

Effective: 03/16/07

Agency Contact:

Christine Molina (916) 323–9983

**CCR CHANGES FILED  
WITH THE SECRETARY OF STATE  
WITHIN SEPTEMBER 13, 2006 TO  
FEBRUARY 14, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with

the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 2**

02/02/07 AMEND: 2561, 2563, 2564, 2565, 2566, 2567

01/26/07 ADOPT: 599.550, 599.552, 599.553, 599.554 AMEND: 599.500

01/19/07 ADOPT: 18531.62, 18531.63, 18531.64 AMEND: 18544

01/11/07 AMEND: 1894.4, 1896.12

01/09/07 ADOPT: 18530.3

01/09/07 ADOPT: 18534

01/09/07 AMEND: 18707.1

01/08/07 ADOPT: 1859.106.1 AMEND: 1859.106

12/22/06 AMEND: 21906

12/18/06 AMEND: 18312, 18316.5, 18326, 18401, 18521, 18537.1, 18704.5, 18705.5, 18730, 18746.2

12/18/06 AMEND: 18545

12/18/06 ADOPT: 18421.3

12/18/06 AMEND: 18703.4, 18730, 18940.2, 18942.1, 18943

12/18/06 AMEND: 1859.2, 1859.70.1, 1859.71.3, 1859.78.5

12/14/06 ADOPT: 18707.10

12/13/06 ADOPT: 20108, 20108.1, 20108.12, 20108.15, 20108.18, 20108.20, 20108.25, 20108.30, 20108.35, 20108.36, 20108.37, 20108.38, 20108.40, 20108.45, 20108.50, 20108.51, 20108.55, 20108.60, 20108.65, 20108.70, 20108.75, 20108.80

11/06/06 AMEND: 18216, 18421.1

11/03/06 AMEND: 1859.73.2

10/31/06 AMEND: 559.500, 559.501, 559.503, 559.504, 559.505, 559.507, 559.508, 559.509, 559.510, 559.511, 559.512, 559.513, 559.515, 559.516, 559.517

10/12/06 AMEND: 714

09/27/06 AMEND: 18754

**Title 3**

02/14/07 AMEND: 3700(c)

02/08/07 AMEND: 6170, 6172, 6200

02/08/07 AMEND: 3433(b)

02/07/07 AMEND: 6170, 6172, 6200

01/31/07 AMEND: 3591.12(a)

01/24/07 AMEND: 3591.13(a)

01/18/07 AMEND: 3800.1, 3800.2



01/18/07	AMEND: 3433(b)	09/26/06	AMEND: 1976.8
01/18/07	AMEND: 3433(b)	<b>Title 5</b>	
01/18/07	AMEND: 3423(b)	02/08/07	ADOPT: 1000, 1000.1, 1000.2, 1000.3, 1000.4, 1000.5, 1000.6, 1000.7
01/09/07	AMEND: 3433(b)	01/10/07	AMEND: 55806
01/08/07	AMEND: 3591.2(a)	11/13/06	AMEND: 18013, 18054
01/08/07	AMEND: 3591.6(a)	11/08/06	AMEND: 850, 851, 852, 853, 854, 855, 857, 858, 859, 861, 862, 863, 864, 864.5, 865, 866, 867, 870 REPEAL: 850.5, 880, 881, 882, 883, 884, 886, 887, 888, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 901
01/05/07	AMEND: 3433(b)	10/26/06	AMEND: 30023(c)
01/05/07	AMEND: 3406(b)	10/23/06	ADOPT: 11991, 11991.1, 11991.2
01/05/07	AMEND: 6625	10/16/06	ADOPT: 11987, 11987.1, 11987.2, 11987.3, 11987.4, 11987.5, 11987.6, 11987.7
01/03/07	AMEND: 3424(b)	09/29/06	ADOPT: 19833.5, 19833.6 AMEND: 19815, 19816, 19816.1, 19819, 19824, 19828.1, 19831
12/20/06	AMEND: 3423(b)	09/15/06	REPEAL: 18074.1(b), (c), (d), 18074.3, 18074.4, 18074.5, 18074.6
12/20/06	AMEND: 3433(b)	<b>Title 8</b>	
12/19/06	ADOPT: 6310, 6312, 6314 AMEND: 6170	12/29/06	AMEND: 1598, 1599
12/06/06	AMEND: 3591.6	12/27/06	AMEND: 3385
12/06/06	AMEND: 3700(c)	12/21/06	AMEND: 5031
11/30/06	ADOPT: 6128 AMEND: 6130	12/15/06	AMEND: 5006.1
11/16/06	AMEND: 3433(b)	11/14/06	AMEND: 6368
11/13/06	AMEND: 3423(b)	11/14/06	AMEND: 3482, 5161, 5178
11/08/06	AMEND: 3591.2(a)	11/08/06	AMEND: 17000 Appendix
10/27/06	ADOPT: 765 AMEND: 760.4, Article 3.5	11/02/06	AMEND: 3650
10/19/06	AMEND: 3591.6(a)	10/18/06	AMEND: 9768.5, 9768.10, 9788.11, 9788.31, 9789.33
10/12/06	AMEND: 3433(b)	09/29/06	AMEND: 341, 341.1
10/12/06	AMEND: 3433(b)	09/25/06	AMEND: 4920
10/12/06	ADOPT: 3424	09/21/06	ADOPT: 10001, 10002, 10003
10/06/06	AMEND: 3591.13(a)	09/19/06	ADOPT: 1532.2, 5206, 8359 AMEND: 5155
10/06/06	AMEND: 3700(c)	<b>Title 9</b>	
10/05/06	AMEND: 3433(b)	12/29/06	ADOPT: 3100 3200.010, 3200.020, 3200.030, 3200.040 3200.050, 3200.060, 3200.070, 3200.080, 3200.090, 3200.100, 3200.110, 3200.120, 3200.130, 3200.080, 3200.090, 3200.150, 3200.160, 3200.170, 3200.180, 3200.190, 3200.210, 3200.220, 3200.230, 3200.240, 3200.250, 3200.260, 3200.270, 3200.280, 3200.300, 3200.310, 3300, 3310, 3315, 3320, 3350, 3360, 3400, 3405, 3410, 3415, 3500, 3505, 3510, 3520, 3530, 3530.10, 3530.20, 3530.30,
10/05/06	AMEND: 3589		
10/02/06	AMEND: 3591.6(a)		
09/19/06	AMEND: 3433(b)		
<b>Title 4</b>			
02/08/07	ADOPT: 12341		
02/08/07	ADOPT: 12550, 12552, 12554, 12556, 12558, 12560, 12562, 12564, 12566, 12568, 12572		
01/31/07	AMEND: 12590		
01/30/07	AMEND: 12358		
01/30/07	ADOPT: 12460, 12461, 12462, 12463, 12464, 12466		
01/30/07	AMEND: 12101, 12301.1, 12309		
01/26/07	AMEND: 1433		
01/17/07	ADOPT: 523		
01/11/07	AMEND: 1536		
12/05/06	AMEND: 1582		
11/22/06	AMEND: 1544 & 1658		
11/16/06	ADOPT: 2422.1		
11/03/06	AMEND: 10152, 10153, 10155, 10159, 10160, 10161, 10162		
10/24/06	AMEND: 1486		
10/16/06	AMEND: 1733		



3530.40, 3540, 3610, 3615, 3620,  
3620.05, 3620.10, 3630, 3640, 3650  
11/21/06 AMEND: 9100  
09/25/06 ADOPT: 3400

**Title 10**  
01/23/07 ADOPT: 2183, 2183.1, 2183.2, 2183.3,  
2183.4 REPEAL: 2691.18, 2691.19  
01/10/07 AMEND: 3528  
01/08/07 AMEND: 2698.52(c), 2698.53(b),  
2698.56(c)  
01/03/07 ADOPT: 2642.4, 2643.8, 2644.24,  
2644.25, 2644.26, 2644.27, 2644.50,  
AMEND: 2642.5, 2642.6, 2642.7,  
2643.6, 2644.2, 2644.3, 2644.4, 2644.5,  
2644.6, 2644.7, 2644.8, 2644.10,  
2644.12, 2644.15, 2644.16, 2644.17,  
2644.18, 2644.19, 2644.20, 2644.21,  
2644.23  
12/29/06 AMEND: 2696.1, 2696.2, 2696.3,  
2696.5, 2696.6, 2696.7, 2696.9, 2696.10  
REPEAL: 2696.4, 2696.8  
12/29/06 AMEND: 2651.1, 2661.1, 2661.3,  
2662.1, 2662.3, 2662.5  
12/29/06 ADOPT: 5327, 5357.1, 5358, 5358.1  
AMEND: 5350, 5352  
12/29/06 AMEND: 2632.5(c)  
12/29/06 AMEND: 2052.1, 2052.4  
12/29/06 AMEND: 2222.10, 2222.11, 2222.12,  
2222.14, 2222.15, 2222.16, 2222.17,  
2222.19 REPEAL: 2222.13  
12/27/06 AMEND: 2498.6  
12/26/06 ADOPT: 2698.80, 2698.81, 2698.82,  
2698.83, 2698.84, 2698.85, 2698.86,  
2698.87, 2698.88, 2698.89, 2698.89.1  
AMEND: 2698.80, 2698.81, 2698.82,  
2698.83, 2698.84, 2698.85, 2698.86  
12/22/06 ADOPT: 2548.1, 2548.2, 2548.3, 2548.4,  
2548.5, 2548.6, 2548.7, 2548.8  
12/20/06 ADOPT: 2614, 2614.1, 2614.2, 2614.3,  
2614.4, 2614.5, 2614.6, 2614.7, 2614.8,  
2614.9, 2614.10, 2614.11, 2614.12,  
2614.13, 2614.14, 2614.15, 2614.16,  
2614.17, 2614.18, 2614.19, 2614.20,  
2614.21, 2614.22, 2614.23, 2614.24,  
2614.25, 2614.26, 2614.27  
12/19/06 AMEND: 2690.90, 2690.91, 2690.92,  
2690.93, 2690.94  
12/13/06 ADOPT: 2534.40, 2534.41, 2534.42,  
2534.43, 2534.44, 2534.45, 2534.46  
11/15/06 AMEND: 2697.6, 2697.61  
11/09/06 AMEND: 2534.27, 2534.28

11/09/06 AMEND: 2498.5  
10/24/06 ADOPT: 2303, 2303.1, 2303.2, 2303.3,  
2303.4, 2303.5, 2303.6, 2303.7, 2303.8,  
2303.9, 2303.10, 2303.11, 2303.12,  
2303.13, 2303.14, 2303.15, 2303.16,  
2303.17, 2303.18, 2303.19, 2303.20,  
2303.21, 2303.22, 2303.23, 2303.24,  
2303.25  
10/16/06 ADOPT: 2194.9, 2194.10, 2194.11,  
2194.12, 2194.13, 2194.14, 2194.15,  
2194.16, 2194.17  
10/10/06 AMEND: 2498.4.9  
10/03/06 AMEND: 2498.5  
10/02/06 AMEND: 2248.4, 2249.1, 2249.2,  
2249.6, 2249.7, 2249.8, 2249.9, 2249.10,  
2249.11, 2249.12, 2249.13, 2249.14,  
2249.15, REPEAL: 2248.11, 2248.12,  
2248.19  
09/20/06 AMEND: 2318.6, 2353.1  
09/14/06 AMEND: 3528

**Title 11**

02/02/07 ADOPT: 999.40  
02/02/07 ADOPT: 9070, 9071, 9072, 9073, 9076,  
9077, 9078 AMEND: 1005, 1018, 1055,  
REPEAL: 1011  
01/30/07 AMEND: 20  
01/25/07 AMEND: 30.5  
01/25/07 AMEND: 30.1  
01/19/07 AMEND: 1005, 1007, 1080  
12/21/06 AMEND: 1070, 1081, 1082  
12/21/06 ADOPT: 80.3  
12/21/06 AMEND: 48.6  
10/13/06 AMEND: 30.5  
10/13/06 AMEND: 30.1

**Title 13**

02/09/07 AMEND: 2702, 2703, 2704, 2706, 2707,  
2709  
01/18/07 AMEND: 1961, 1976, 1978  
01/16/07 ADOPT: 2189 AMEND: 2180, 2180.1,  
2181, 2182, 2183, 2185, 2186, 2187,  
2188  
12/27/06 ADOPT: 1300 REPEAL: 1300, 1301,  
1302, 1303, 1304, 1304.1, 1305, 1310,  
1311, 1312, 1313, 1314, 1315, 1320,  
1321, 1322, 1323, 1324, 1325, 1330,  
1331, 1332, 1333, 1334, 1335, 1336,  
1337, 1338, 1339, 1339.1, 1339.2,  
1339.3, 1339.4, 1339.5, 1339.6, 1340,  
1341, 1342, 1343, 1344, 1350, 1351,  
1352, 1353, 1354, 1355, 1356, 1360,  
1361, 1362, 1363, 1364, 1365, 1366,  
1370, 1371, 1372, 1373, 1374, 1375,

	1400, 1401, 1402, 1403, 1404, 1405, 1406, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1420, 1421, 1422, 1423, 1424, 1425		1865, 1881, 1881.5, 1882, 1914, 1920.1, 1920.2, 1920.3, 1931, 1931.1, 1931.2, 1931.5, 1932, 1933.1, 1933.2, 1933.3, 1935.1, 1935.2, 1936, 1937.1, 1941, 1942, 1942.1, 1942.2, 1950.1, 1954, 1960, 1961, 1962, 1963, 1966, 1971, 1981, 1981.2, 1995.1, 1996.8, 1997.1, 1997.2, 1997.3, 1997.4, 1997.5, 1998.2
12/13/06	AMEND: 553.70		
12/06/06	ADOPT: 2022, 2022.1		
12/01/06	ADOPT: 2479		
11/13/06	AMEND: 2445.2(a)		
11/13/06	AMEND: 2111, 2112, 2441, 2442, 2444.2, 2445.1, 2445.2, 2446	12/19/06	AMEND: 105.1, 120.01, 149.1, 150, 150.02, 150.03, 150.05, 180.3, 180.15, 231 ADOPT: 3413.1
10/30/06	ADOPT: 118.00		
10/27/06	AMEND: 423.00		
10/16/06	AMEND: 1956.8, 2404, 2424, 2425, 2485	12/05/06	AMEND: 2305, 2310, 2320
10/05/06	AMEND: Section 1	12/01/06	AMEND: 163, 164
09/14/06	AMEND: 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21, 25.22	11/27/06	ADOPT: 18660.5, 18660.6, 18660.7, 18660.8, 18660.9, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.20, 18660.21, 18660.22, 18660.23, 18660.24, 18660.25, 18660.30, 18660.31, 18660.32, 18660.33
<b>Title 13, 17</b>		11/27/06	ADOPT: 4970.49, 4970.50, 4970.51, 4970.52, 4970.53, 4970.54, 4970.55, 4970.56, 4970.57, 4970.58, 4970.59, 4970.60, 4970.61, 4970.62, 4970.63, 4970.64, 4970.65, 4970.66, 4970.67, 4970.68, 4970.69, 4970.70, 4970.71, 4970.72
12/27/06	ADOPT: 93116.3.1 AMEND: 2452, 2456, 2461, 93115, 93116.2, 93116.3	11/22/06	AMEND: 939.15, 959.15
12/06/06	ADOPT: 2299.1, 93118	11/16/06	AMEND: 916.5(e), 936.5(e), 956.5(e), 916.9, 936.9, 956.9
<b>Title 14</b>		11/14/06	AMEND: 5101, 5104
02/13/07	AMEND: 53.03, 149, 149.1	11/07/06	AMEND: 11900
02/08/07	AMEND: 880	11/02/06	AMEND: 183
02/05/07	ADOPT: 2990, 2995, 2997 AMEND: 2125, 2518	10/19/06	AMEND: 632(b)(72)
01/18/07	ADOPT: 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 28.48, 28.49, 28.51, 28.52, 28.53, 28.57 AMEND: 1.91, 27.60, 27.65, 27.83 (amend and renumber to 27.51), 28.26, 28.27, 28.28, 28.29, 28.54, 28.55, 28.56, 28.58, 28.90, 701 REPEAL: 27.67, 27.82	10/11/06	AMEND: 895, 895.1, 1038, 1038(f)
12/28/06	ADOPT: 25231	10/06/06	AMEND: 670.2
12/26/06	AMEND: 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1712, 1714, 1720, 1721, 1721.2, 1721.3, 1721.3.1, 1721.4, 1721.5, 1721.6, 1721.7, 1721.8, 1721.9, 1722, 1722.1.1, 1722.3, 1722.4, 1722.5, 1722.7, 1723, 1723.5, 1723.7, 1723.8, 1723.9, 1724 1724.1, 1724.3, 1724.4, 1724.6, 1724.8, 1724.9, 1724.10, 1740.1, 1740.3, 1740.5, 1741, 1742, 1743, 1744, 1744.2, 1744.3, 1744.4, 1744.5, 1744.6, 1745, 1745.8, 1745.10, 1746.2, 1747, 1747.1, 1747.2, 1747.3, 1747.5, 1747.7, 1747.8, 1747.10, 1748.2, 1748.3, 1760, 1771, 1774, 1776, 1778, 1779, 1821, 1830, 1831, 1832, 1850, 1854, 1855, 1856, 1857, 1858, 1863,	09/20/06	AMEND: 895.1, 898, 914.8, [934.8, 954.8], 916, [936, 956], 916.2 [936.2, 956.2], 916.9, [936.9, 956.9], 916.11, [936.11, 956.11], 916.12, [936.12, 956.12], 923.3, [943.3, 963.3], 923.9, [943.9, 963.9]
		09/19/06	AMEND: 502
		09/15/06	AMEND: 851.8, 851.23, 851.51.1, 851.85, 852.3, 851.4, 851.10, 851.10.1
		<b>Title 15</b>	
		02/05/07	ADOPT: 3999.3
		01/18/07	ADOPT: 4034.0, 4034.1, 4034.2, 4034.3, 4034.4 REPEAL: 4036.0, 4040.0
		12/19/06	ADOPT: 3413.1 AMEND: 3413

12/04/06 AMEND: 3041.2, 3053, 3177, 3331, 3375  
 11/03/06 AMEND: 3375.2, 3377.1  
 11/03/06 AMEND: 3084.1  
 10/06/06 ADOPT: 2275  
 10/03/06 ADOPT: 3352.2 AMEND: 3350.1, 3352.1, 3354, 3358

**Title 16**

02/14/07 ADOPT: 1399.360 AMEND: 1399.302  
 02/08/07 AMEND: 1397.12  
 02/02/07 AMEND: 3356  
 02/01/07 AMEND: 70  
 01/31/07 AMEND: 884  
 01/23/07 AMEND: 3305, 3306, 3307, 3308, 3309, 3310, 3315, 3316, 3320, 3321  
 01/11/07 ADOPT: 2475  
 01/10/07 AMEND: 974  
 12/27/06 ADOPT: 1713 AMEND: 1717  
 12/20/06 AMEND: 1397.61(b)  
 12/18/06 ADOPT: 980.2, 980.3 AMEND: 980.1  
 12/07/06 ADOPT: 1793.8 AMEND: 1793.7  
 12/05/06 AMEND: 1397.12  
 11/16/06 AMEND: 1397.60, 1397.61, 1397.62  
 11/16/06 AMEND: 1351.5, 1352  
 11/16/06 AMEND: 28  
 11/16/06 ADOPT: 1399.170.20.1 AMEND: 1399.151.1  
 11/15/06 ADOPT: 1034.1 AMEND: 1021, 1028, 1034  
 11/15/06 AMEND: 4120, 4121, 4161, 4162  
 11/08/06 AMEND: 4130  
 11/02/06 AMEND: 3394.6  
 10/31/06 AMEND: 100, 102, 109, 111, 117, 136  
 10/26/06 AMEND: 345  
 10/17/06 AMEND: 928  
 10/11/06 AMEND: 3303.2, 3340.15, 3340.18, 3340.32, 3340.42, 3394.5  
 10/03/06 AMEND: 70  
 09/28/06 AMEND: 1399.156.4  
 09/26/06 AMEND: 1579

**Title 17**

01/09/07 AMEND: 93000  
 01/08/07 ADOPT: 2641.56, 2641.57 AMEND: 2641.30, 2641.45, 2641.55, 2643.5, 2643.10, 2643.15 REPEAL: 2641.75, 2641.77  
 11/27/06 AMEND: 94010, 94011, 94167, and Incorporated Documents  
 11/07/06 AMEND: 54342, 56076

11/06/06 AMEND: 1000600, 100601, 100602, 100603, 100604, 100605, 100606, 100607, 100608, 100609, 100610

10/26/06 AMEND: 2500, 2505

10/17/06 AMEND: 93102.5

10/12/06 ADOPT: 6500.1, 6500.5, 6500.19, 6500.25, 6500.28, 6500.31, 6500.35, 6500.39, 6500.45, 6500.46, 6500.57, 6500.59, 6500.65, 6500.67, 6500.69, 6500.70, 6500.74, 6500.77, 6500.80, 6501.2, 6502, 6504.2, 6504.4, 6504.6, 6506.2, 6506.6, 6506.8, 6506.10, 6506.12

10/10/06 ADOPT: 100010, 100020, 100030, 100040, 100050, 100060, 100070, 100080, 100090, 100095, 100100, 100110

10/05/06 ADOPT: 100001, 100002, 100003, 100004

10/04/06 AMEND: 57310(b)(3), 57332(c)(3)(A), 57332(9)(A)2.a

**Title 18**

01/23/07 AMEND: 25110  
 01/03/07 AMEND: 1610  
 01/03/07 AMEND: 1705.1  
 11/13/06 AMEND: 1699, 1802  
 09/15/06 AMEND: 1620

**Title 19**

12/28/06 ADOPT: 574 REPEAL: 597, 597.1, 597.2, 597.3, 597.4, 597.9, 603, 603.1, 603.2, 603.4, 603.5, 604, 604.1, 604.2, 604.3, 604.4, 604.5, 605, 605.2, 606, 606.1, 606.2, 606.4, 607, 607.1, 608, 608.1, 608.2, 608.3, 608.4, 608.5, 608.6, 609, 609.1, 609.2, 609.3, 609.4, 609.5, 609.6, 609.7, 610, 612, 613, 614.2, 614.4  
 11/14/06 ADOPT: 902.9, 902.19, 906.1, 906.2, 906.3 AMEND: 901, 902, 902.4, 902.11, 902.12, 902.15, 902.18, 904, 904.1, 904.2, 904.7, 905, 905.2, 906 REPEAL: 904.3, 904.4, 904.5, 904.6

**Title 20**

12/26/06 AMEND: 1.161  
 12/14/06 AMEND: 1602, 1602.1, 1604, 1605, 1605.1, 1605.2, 1605.3, 1606, 1607, 1608  
 12/11/06 AMEND: 1605.3  
 09/13/06 AMEND: 1, 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 2, 2.1, 2.2, 2.3, 2.3.1, 2.4, 2.5, 2.6, 2.7, 3, 3.1, 3.2, 3.3, 3.4, 4, 5, 6, 6.1, 6.2,

6.3, 6.4, 6.5, 6.6, 7, 7.1, 8, 8.1, 8.2, 9, 10, 10.1, 11, 12, 13, 13.1, 13.2, 14, 14.1, 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 15, 15.1, 16, 17, 17.1, 17.2, 17.3, 18, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 42.1, 42.2, 43.1, 43.2, 43.3, 43.4, 43.5, 43.6, 43.7, 43.8, 44, 44.1, 44.2, 44.3, 44.4, 44.5, 44.6, 45, 46, 47, 48, 49, 50, 51, 51.1, 51.2, 51.3, 51.4, 51.5, 51.6, 51.7, 51.8, 51.9, 51.10, 52, 53, 54, 55, 56, 57, 58, 59, 59.1, 59.2, 60, 61, 61.1, 62, 63, 63.1, 63.2, 63.3, 63.4, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 74.1, 74.2, 74.3, 74.4, 74.5, 74.6, 74.7, 75, 76, 76.71, 76.72, 76.73, 76.74, 76.75, 76.76, 77, 77.1, 77.2, 77.3, 77.4, 77.5, 77.6, 77.7, 78, 79, 80, 81, 82, 83, 84, 85, 86, 86.1, 86.2, 86.3, 86.4, 86.5, 86.6, 86.7, 87, 88

**Title 21**

10/06/06 ADOPT: 10000, 10000.1, 10000.2, 10000.3, 10000.4, 10000.5, 10000.6, 10000.7, 10000.8, 10000.9, 10000.10, 10000.11, 10000.12, 10000.13  
10/02/06 ADOPT: 1520, 1520.2, 1520.6, 1520.7, 1520.8, 1520.11, 1520.12, 1520.13, 1520.14 AMEND: 1520.1, 1520.3, 1520.5, 1520.9, 1520.10, 1520.15

**Title 22**

01/30/07 AMEND: 12705  
01/30/07 AMEND: 2601.1  
01/29/07 AMEND: 12000  
01/22/07 AMEND: 143-1  
01/03/07 ADOPT: 101115 AMEND: 101115  
12/29/06 ADOPT: 66260.202  
12/29/06 AMEND: Appendix X of Chapter 11 of Division 4.5  
12/27/06 ADOPT: 66261.9.5, 67386.1, 67386.2, 67386.3, 67386.4  
11/28/06 AMEND: 4413, 4445, 4450 REPEAL: 4412.2, 4445.1, 4446  
11/27/06 ADOPT: 69106 AMEND: 69100, 69101, 69102, 69103, 69104, 69106 (renumbered to 69107), 69107 (renumbered to 69108)  
11/21/06 ADOPT: 97266 AMEND: 90417, 97210, 97227, 97240, 97241, 97244, 97246, 97250, 97260, 97261, 97264  
10/24/06 REPEAL: 4428

**Title 22, MPP**

01/17/07 ADOPT: 86072.1 AMEND: 83064, 83072, 84072, 84079, 84172, 84272, 86072, 89372, 89379  
12/13/06 ADOPT: 82003, 82005, 82006, 82007, 82010, 82012, 82017, 82017, 82019, 82019.1, 82020, 82021, 82023, 82024, 82025, 82026, 82027, 82028, 82029, 82030, 82031, 82034, 82035, 82036, 82040, 82042, 82044, 82046, 82051, 82052, 82053, 82054, 82055, 82055.1, 82056  
10/26/06 AMEND: 86500, 86501, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522, 86523, 86524, 86526, 86527, 86528, 86529, 86529, 86531, 86531.1, 86531.2, 86534, 86535, 86536, 86540, 86542, 86544, 86545, 86546, 86552, 86553, 86554, 86555, 86555.1, 86558, 86559, 86561, 86562, 86563, 86564, 86565, 86565.2, 86565.5, 86566, 86568.1, 86568.2, 86568.4, 86570, 86572, 86572.1, 86572.2, 86574, 86575, 86576, 86577, 86578, 86578.1, 86579, 86580, 86586, 86587, 86587.1, 86587.2, 86588, MPP 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1

**Title 23**

02/06/07 ADOPT: 3939.23  
01/29/07 AMEND: 3833.1  
01/18/07 ADOPT: 3917  
01/09/07 ADOPT: 3908  
01/05/07 ADOPT: 499.4.1.1, 499.4.1.2, 499.4.2, 499.6.3 AMEND: 499.1, 499.2, 499.3, 499.4, 499.4.1, 499.5, 499.6, 499.6.1, 499.7, 499.8, REPEAL: 499.6.2  
01/04/07 ADOPT: 3989.4  
12/22/06 AMEND: 3912  
11/27/06 ADOPT: 3929.2  
11/20/06 ADOPT: 3929.1  
10/17/06 ADOPT: 3945.1  
09/13/06 ADOPT: 3916

**Title 25**

12/26/06 ADOPT: 1433.1 AMEND: 1002, 1016, 1105, 1106, 1110, 1134, 1216, 1254, 1317, 1330, 1338, 1338.1, 1428, 1433, 1498, 1504, 2002, 2016, 2105, 2106,



## CALIFORNIA REGULATORY NOTICE REGISTER 2007, VOLUME NO. 8-Z

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	2110, 2118, 2134, 2216, 2254, 2317, 2330, 2428, 2498, 2504		22-002, 22-003, 22-004, 22-009, 22-045, 22-049, 22-050, 22-053, 22-054, 22-059, 22-061, 22-063, 22-064, 22-065, 22-069, 22-071, 22-072, 22-073, 22-077, 22-078, 22-085 REPEAL: 22-074, 22-075, 22-076
11/27/06	ADOPT: 8460, 8461, 8462, 8463, 8464, 8465, 8466, 8467 AMEND: 8431		
11/08/06	AMEND: 16		
<b>Title 28</b>			
01/24/07	ADOPT: 1330.67.04 REPEAL: 1300.67.8		
12/06/06	ADOPT: 2299.1, 93118	10/17/06	ADOPT: 44-111, 44-211, 69-201, 69-202, 69-205, 69-207, 69-208, 69-209, 69-210, 69-211, 69-212, 69-213, 69-214, 69-216, 69-302, 69-303, 69-304, and 69-305
09/11/06	ADOPT: 1002.4		
<b>Title MPP</b>			
02/05/07	AMEND: 30-757, 30-761		
01/24/07	ADOPT: 22-901 AMEND: 22-001,	10/12/06	ADOPT: 30-785 AMEND: 30-700